

APPLICANT(S): B. Carmeli, et al.  
SERIAL NO.: 10/699,081  
FILED: October 31, 2003  
Page 2

## LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and the listing of claims in the application.

### Claims Listing:

1 – 12. (Withdrawn)

13. (Currently Amended) A method comprising:

adjusting the size of aggregated data packets based at least on the congestion of a transmitting network device, and

transmitting partially aggregated data packets when said transmitting network device has no fully aggregated packets waiting to be transmitted.

14. (Currently Amended) A method according to claim 13 and wherein said adjusting comprises:

aggregating in a buffer at least two small messages received from an upper layer into a packet;

providing ~~said packet~~ fully aggregated packets from said buffer to a pending queue;

selecting fully aggregated packets from said pending queue or partially aggregated packets from said buffer depending on whether or not said pending queue is empty; and

passing said selected packets to a said network device; ~~and~~

~~selecting said packets from said pending queue or said buffer depending on whether or not said pending queue is empty.~~

APPLICANT(S): B. Carmeli, et al.  
SERIAL NO.: 10/699,081  
FILED: October 31, 2003  
Page 3

15. (Previously Presented) A method according to claim 14 and also comprising indicating a reception status for said packets.

16. (Original) A method according to claim 14 and wherein said passing operates at a rate related to network congestion.

17. (Currently Amended) A method according to claim 16 and wherein said activity of said network device congestion may be affected by any one of the following: transmitter congestion, receiver congestion and congestion of network elements.

18. (Currently Amended) A method comprising:

aggregating in a buffer at least two small messages received from an upper layer into a packet;

providing ~~said packet~~ fully aggregated packets from said buffer to a pending queue;

selecting fully aggregated packets from said pending queue or partially aggregated packets from said buffer depending on whether or not said pending queue is empty; and

passing said selected packets to a network device ~~;~~ and

~~selecting said packets from said pending queue or said buffer depending on whether or not said pending queue is empty.~~

19. (Previously Presented) A method according to claim 18 and also comprising indicating a reception status for said packets.

20. (Canceled)

APPLICANT(S): B. Carmeli, et al.  
SERIAL NO.: 10/699,081  
FILED: October 31, 2003  
Page 4

21. (Currently Amended) A method according to claim 18 and wherein said activity of said  
network device congestion may is affected by any one of the following: transmitter  
congestion, receiver congestion and congestion of network elements.